



Benjamin W. Hulse
Direct Dial: 612-343-3256
E-Mail: bhulse@blackwellburke.com

January 20, 2017

VIA EMAIL AND U.S. MAIL

Daniel A. Nigh
Levin, Papantonio, Thomas, Mitchell, Rafferty, Proctor P.A.
316 South Baylen St. Suite 400
Pensacola, Florida 32502
dnigh@levinlaw.com

Re: In re Bair Hugger Forced Air Warming Devices Products Liability Litigation
MDL No. 2666 – Deficiencies in Plaintiff Fact Sheet for Individual Case
Dandrea et al v. 3M Company et al, Case No.: 0:16-cv-02298-JNE-FLN

Dear Counsel:

We are in receipt of the Plaintiff Fact Sheet (PFS) for the above-captioned matter. The PFS has core deficiencies, as set forth in the enclosed report.

Paragraph 4 of Pretrial Order No. 14 defines core deficiencies as “a lack of response to all questions in Section I, Section II, and Section III; Section IV, questions 1, 3, 7, 8, 9, 10; Section V, questions 5, 6, and 7; Section VI, questions 1, 3, 6, 7, 8, and 9; Section VII, questions 1 and 2; Section 8, question 2; Section IX, questions 1, 3, and 4, or lack of signed medical authorizations.” Paragraph 3 further requires a signed verification.

In addition, the instructions on the PFS form prohibit leaving spaces blank and provide as follows: “If a question is not applicable to you, please state ‘Not Applicable’ or ‘N/A.’” In our review, many deficiencies resulted from a plaintiff leaving one or more spaces blank.

Pursuant to paragraph 6 of PTO 14, within 3 weeks of the date of this letter, you must respond in writing by either (1) curing the deficiencies; (2) disputing the deficiencies and setting forth the reasons the PFS is not deficient; or (3) explaining why the deficiencies cannot be timely cured.

Sincerely,

s/ Benjamin W. Hulse

Benjamin W. Hulse

cc: Plaintiffs' Co-Lead Counsel

Enclosure

description	doc_id
Title "Dandrea_Mario_16-cv-02298_01_Final_Draft_PFS-Dandrea_Mario"	Dandrea_Mario_16-cv-02298_01_Final_Draft_PFS-Dandrea_Mario

PLAINTIFFS' LAST NAME - Dandrea

PLAINTIFFS' FIRST NAME - Mario

CASE NO. - 16-cv-02298_01

I.03.B - PLAINTIFFS' COUNSEL'S FIRM - Levin, Papantonio

I.03.E - PLAINTIFFS' COUNSEL'S EMAIL - dhugh@levinlaw.com

SECTION I (CASE INFORMATION) -

SECTION II (PERSONAL INFORMATION) - Incomplete

SECTION II - INCOMPLETE QUESTIONS - 01, 02, 03, 06, 07, 08, 09, 10, 11, 12, 13, 14, 16

SECTION III (SURGERY INFORMATION) - Incomplete

SECTION III - INCOMPLETE QUESTIONS - 03, 04

SECTION IV - 1 (VITAL STATISTICS) - Incomplete

SECTION IV - 10 (DRUG/ALCOHOL) -

SECTION IV - 3 (HEALTHCARE PROVIDERS) - Incomplete

SECTION IV - 7 (PHARMACIES/DRUGSTORES) - Incomplete

SECTION IV - 8 (DENTAL PROCEDURES) - Incomplete

SECTION IV - 9 (TOBACCO) - Incomplete

SECTION IX - 1 (CONSORTIUM NAME ETC.) -

SECTION IX - 3 (RESIDENCES) -

SECTION IX - 4 (MARRIED) - Incomplete

SECTION V - 5 (DISABILITY CLAIMS) -

SECTION V - 6 (LAWSUITS) -

SECTION V - 7 (BANKRUPTCY) - Incomplete

SECTION VI - 1 (PHYSICAL INJURY) - Incomplete

SECTION VI - 3 (EMOTIONAL DISTRESS) - Incomplete

SECTION VI - 6 (WARNINGS) -

SECTION VI - 7 (3M/ARIZANT COMMUNICATIONS) -

SECTION VI - 8 (3M/ARIZANT WARRANTY) -

SECTION VI - 9 (AUGUSTINE) -

SECTION VII - 1 (LOST PAST WAGES) - Incomplete

SECTION VII - 2 (LOST FUTURE WAGES) - Incomplete

SECTION VIII - 2 (VERBAL/WRITTEN STATEMENT) -

X.01 - SIGNED AUTHORIZATION - Incomplete

X.02.D - DOCUMENTS - SIGNED VERIFICATION - Incomplete